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*Attorney for Defendant AnchorFree, Inc.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

JOHN MCCLAIN, individually and on behalf  
of all others similarly situated,

*Plaintiff,*

*v.*

ANCHORFREE, INC., a Delaware  
Corporation,

*Defendant.*

Case No. 3:14-cv-1282-BLF

**STIPULATION AND ~~PROPOSED~~ ORDER  
CHANGING CASE MANAGEMENT  
STATEMENT DUE DATE**

Judge: Hon. Beth Labson Freeman  
Action Filed: March 19, 2014

1 WHEREAS, Plaintiff John McClain (“Plaintiff”) filed his Complaint in this action against  
2 Defendant AnchorFree, Inc. (“Defendant”) (together with Plaintiff, the “Parties”) on March 19,  
3 2014;

4 WHEREAS, by agreement of the Parties, Defendant’s deadline to answer or otherwise  
5 respond to the Complaint is May 14, 2014;

6 WHEREAS, the initial Order Setting Initial Case Management Conference and Deadlines  
7 contemplated that the Parties’ Rule 26(f) report and Case Management Statement would be due on  
8 July 9, 2014, (Dkt. 5);

9 WHEREAS, following the transfer of this case to Hon. Beth Labson Freeman and pursuant  
10 to the Order Reassigning Case and Order to File Joint Case Management Statement, (Dkt. 17), the  
11 Parties are to submit a Joint Case Management Statement by May 1, 2014;

12 WHEREAS, the Parties are presently scheduled to appear for a Case Management  
13 Conference on May 21, 2014;

14 WHEREAS, the Parties agree that given the posture of the case, it would be most efficient  
15 and convenient to continue the deadline to file their Joint Case Management Statement by two  
16 weeks—i.e., until May 15, 2014—so as to allow the Parties to fully discuss the claims and  
17 defenses relevant to this matter; and

18 WHEREAS, the requested extension will not alter the Parties’ scheduled Case  
19 Management Conference or any other deadlines in this matter.

20 THEREFORE, the Parties hereby stipulate as follows:

21 **STIPULATION**

22 1. The Parties, by and through their undersigned counsel, hereby stipulate and  
23 respectfully request a continuance of the Joint Case Management Statement deadline until May 15,  
24 2014.

25 2. The reason for the requested change of time is that the present deadline for the Joint  
26 Case Management Statement falls over two months earlier than the previous deadline entered in  
27 this case, and before Defendant is required to answer or otherwise respond to the Complaint. As  
28

1 such, the requested continuance will give the Parties time to fully discuss the claims and defenses  
2 relevant to this matter.

3 3. One other time modification in this matter was made by agreement between the  
4 Parties, where Defendant requested and Plaintiff agreed to a 30-day extension to answer or  
5 otherwise respond to the Complaint (i.e., such that an answer or response is due on May 14, 2014).

6 4. The effect of this requested time modification would be to move the deadlines for  
7 the submission of a Joint Case Management Statement, but would not otherwise affect the  
8 schedule for the case.

9 5. The Parties agree to the stipulation as indicated by their signatures below. The  
10 Parties respectfully request that the Court approve the stipulation, pursuant to Civil L.R. 6-2 and  
11 enter an Order thereupon.

12 **IT IS SO STIPULATED.**

13  
14  
15 Dated: April 28, 2014

**JOHN MCCLAIN**, individually and on  
behalf of all others similarly situated,

By: /s/ Benjamin S. Thomassen  
One of Plaintiff's Attorneys

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1 **ANCHORFREE, INC.,**

2 Dated: April 28, 2014


By: /s/ Tonia Ouellette Klausner  
One of Defendant's Attorneys

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7  
8 *Attorney for Defendant AnchorFree, Inc.*

9  
10 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

11  
12  
13 DATED: April 30, 2014

14   
Honorable Beth Labson Freeman  
United States District Judge

**ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1**

I, Benjamin S. Thomassen, am the ECF User whose identification and password are being used to file this document. In compliance with Civil Local Rule 5-1, I hereby attest that all signatories have concurred in this filing.

Dated: April 28, 2014

By: /s/ Benjamin S. Thomassen

Benjamin S. Thomassen